



City of Albuquerque

Legislative File Number O-06-13 (version 2)

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## **CITY of ALBUQUERQUE SEVENTEENTH COUNCIL**

**Amending ROA 1994 of the Municipal Refuse Collection Service Ordinance;  
Increasing Automated Collection Cart Charges and Residential Basic Services  
Charge; Amending Collection and Disposal Rates Appendix; Repealing the  
Existing Appendix (Sanchez)**

## **CITY of ALBUQUERQUE SEVENTEENTH COUNCIL**

**AMENDING SECTIONS 9-10-1-8(F), 9-10-1-10(A), 9-10-1-10(B), AND 9-10-1-10(I)  
ROA 1994 OF THE MUNICIPAL REFUSE COLLECTION SERVICE ORDINANCE;  
INCREASING AUTOMATED COLLECTION CART CHARGES AND RESIDENTIAL  
BASIC SERVICES CHARGE; AMENDING COLLECTION AND DISPOSAL RATES  
APPENDIX; REPEALING THE EXISTING APPENDIX.**

**BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
ALBUQUERQUE:**

**SECTION 1. Section 9-10-1-8(F) ROA 1994 is hereby amended to read:**

**“(F) *Automated Collection Cart Charges.* One automated collection cart  
will be provided without cost to each residence. Thereafter, if the cart is lost or  
stolen, a charge to cover the replacement cost of the container will be  
assessed. The city shall confiscate all carts that have not been assigned to a  
residence.**

**(1) A fee of \$4.05 per cart per month will be implemented for the  
use of each additional, ninety-five gallon, automated collection cart. The new  
charge is effective May 31, 2006.**

**(2) A charge of \$48.67 will be implemented for the use of a ninety-five gallon, automated, collection cart on all new construction residential dwellings. The new charge is effective May 31, 2006.”**

**SECTION 2. Section 9-10-1-10(A) ROA 1994 is amended to read:**

**“(A) *Residential Collection.***

**(1) A residential basic services charge of \$10.07 monthly effective May 31, 2006 plus applicable gross receipts and local option taxes shall be applied as follows:**

**(a) \$8.18 for bags or carts, collection, and disposal of refuse created by residential use of the premises;**

**(b) \$1.89 for collection and processing of recyclables; and**

**(2) A residential environmental needs charge of \$.68 monthly effective May 31, 2003 shall be applied as follows:**

**(a) \$.25 for a collection and disposal program for household hazardous wastes and unclaimed dead animal removal which will be administered by the Environmental Health Department.**

**(b) \$.24 for landfill monitoring, investigation and remediation of former city landfills. Such charges shall not be construed to prevent the Mayor from imposing reasonable extra charges for special inspection work or the removal of excessive amounts of refuse.**

**(c) \$.09 to bond for landfill methane gas collection systems at Cerro Colorado and South Broadway Landfills.**

**(d) \$.10 to address reclamation issues associated with old city landfills including the use of alternative methodologies, which could include the removal of waste in place by collecting and transporting wastes to the Cerro Colorado Landfill.**

**(3) The cost of large item pick-up is included in the residential collection rates. There shall be no additional charge to collect large items such as air conditioners, stoves, dishwashers, washing machines, clothes dryers, water heaters, lawn mowers, doors, sinks, toilets, mattresses, furniture, and**

televisions.

(4) Except as approved by the Mayor or his designee, multiple dwelling units containing seven or fewer dwelling units shall be subject to residential rates in the amount of \$10.75 per unit effective May 31, 2006. Except as approved by the Mayor or his designee, multiple dwelling units with eight or more dwelling units shall be subject to commercial rates.

(5) It is further provided that a low income credit of \$2.00 per month shall apply to owner occupied residences who qualify under the current United States Office of Management and Budget income guidelines. The Mayor shall establish procedures regarding certification for the above mentioned credit and shall periodically make administrative changes to the income guidelines, as circumstances require. An interfund transfer shall be made to the Refuse Operating Fund from the General Fund in an amount equal to the sum of all credits given to monthly refuse billings in accordance with the refuse credit provided by §§9-10-1-1 et seq.”

SECTION 3. Section 9-10-1-10(B) ROA 1994 is hereby amended to read as follows:

“(B) *Commercial Collection.* Hotels, restaurants, other establishments and businesses, institutions, and multiple-unit dwellings receiving commercial type service shall have fees based on the type and frequency of service and the volume of the refuse container required to collect such refuse. The fees are set where applicable, as set forth in the Collection and Disposal Rates Appendix attached to this Ordinance. Effective May 31, 2006, these fees shall be increased five percent from the level in effect immediately prior to that date.”

SECTION 4. Section 9-10-1-10(I) ROA 1994 is hereby amended to read as follows:

“(I) *Use of City Sanitary Landfill and Convenience Centers.*

(1) City Sanitary Landfill.

(a) The City Sanitary Landfill will accept solid waste from licensed authorized commercial haulers of two ton and over size vehicles and

city collection vehicles only. Solid waste will not be accepted from residential customers.

(b) The City Sanitary Landfill will not accept hazardous wastes, untreated medical wastes, demolition debris or construction materials.

(c) The fee for disposal in the city sanitary landfill after May 31, 2006, shall be as follows: \$7.14 per 0 - 500 pounds; \$14.28 per 501 - 1000 pounds; \$21.41 per 1001 - 1500 pounds; \$28.55 per 1501 - 2000 pounds or any part thereof plus applicable gross receipts and local option taxes.

(d) The fee for Landfill Tire Disposal in the City Sanitary Landfill effective May 31, 2006 shall be \$110.93 per ton plus applicable gross receipts and local option taxes.

**(2) City Convenience Centers.**

(a) Any residential producer of refuse, to include county residents, may dispose of same at any City Convenience Center at a charge of \$3.47 per each individual load plus applicable gross receipts and local option taxes or \$1 per each individual load plus applicable gross receipts and local option taxes upon meeting certain recycling requirements as determined by the Mayor. Any uncovered and/or unsecured load will be charged an additional \$5.54 per individual load plus applicable gross receipts and local option taxes. Any vehicle pulling a trailer will be considered as two separate loads. The rate change is effective May 31, 2006.

(b) Any business or institution may dispose of commercial refuse, except demolition and construction material, at any City Convenience Center at a charge of \$9.08 per each individual load plus applicable gross receipts and local option taxes. Any uncovered and/or unsecured load will be charged an additional \$5.54 per individual load plus applicable gross receipts and local option taxes. Any vehicle pulling a trailer will be considered as two separate loads. The rate change is effective May 31, 2006.

(c) Any vehicle transporting material to any City Convenience Center is limited to a rated capacity of under two tons.

**(d) Salvaging and scavenging is prohibited at the city landfill, transfer stations, and convenience centers at all times without the written permission of the Mayor.”**

**SECTION 5. REPEALER.** The existing Collection and Disposal Rates Appendix is repealed.

**SECTION 6. SEVERABILITY CLAUSE.** If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

**SECTION 7. COMPILATION.** This ordinance shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

**SECTION 8. EFFECTIVE DATE.** This ordinance shall take effect five days after publication in full.

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